

THE CUSTOMS UNION BETWEEN THE EUROPEAN UNION AND TURKEY: A NEW DIMENSION IN A EUROPE OF VARIABLE GEOMETRY

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On March 6, 1995, the European Union and Turkey agreed, under the terms of the Association Agreement signed in Ankara in 1963, to launch a customs union between them from the beginning of 1996. However, the starting date which is likely to be delayed six months, is dependent on two processes

- a technical review by the European Commission on whether Turkey has completed its mainly legislative preparations.
- the assent of the European Parliament which is showing a determinant sensitivity on human rights and democracy reforms in Turkey.

The EU-Turkey Association Council decision of March 6 is supplemented by a resolution on the development of high-level political dialogue between the parties and a financial cooperation package of 375 million ecus. The customs union covers the following areas:

Foreign trade	Abolition of tariff and non-tariff barriers Common Customs Tariff towards third countries Custom code Liberalization of trade in agro-industrial products
Legislative harmonization	Competition policy Intellectual and Industrial property protection Rules on state aids Public procurement procedures Standards Environmental policy Agricultural policy

Whereas, for Turkey, the customs union represents a step towards full-membership of the EU, seen from Brussels it is economically a major extension of the European single market and politically a much needed answer to the geo-strategic challenge of reinforcing Turkey's European linkage.

Actual Debate on the Enlargement of the European Union

Discussing the prospects for EU-Turkey relations today implies to focus on the new era of this relationship beyond the technical achievement of the customs union. A dynamic analysis should consider the prospects for EU-Turkey relations on the basis of different development perspectives of the European integration process. We can try to generalize and simplify these perspectives in three basic scenarios on the future of the European Union:

1) Federal Europe

In this scenario, the europeification of national policy-making and the supranational/federal characteristics of the EU decision-making (such as widening of the majority voting in stead of the unanimity at the Council of Ministers, transformation of the European Parliament to a real legislative power, transition to monetary union etc.) are deepened. The main obstacle for this federal model is the challenge to go beyond the existing national political, economic and cultural divergences and to define a coherent notion of "common European interest".

Moreover the recent enlargement of the Union to three EFTA countries and its political commitment for full-membership of Central and Eastern European countries by the year 2000 (1) re-enforce the complexity of a negotiation process between fifteen to twenty-five governments.

On the other hand, there is almost a consensus - at least an overwhelming majority - approving the analysis on the inefficiency of policy and decision-making within an enlarged European Union unless its supranational/federal characteristics are generated (2).

2) Confederal Union

The second scenario is a Europe of States, where the member countries continue to play the main role in the decision-making process which remains mainly intergovernmental. This would, in practical terms mean a total failure of the 1996 intergovernmental conference on the institutional reform.

However a significant integration process seems today unrealistic because the economic and social forces of integration are strong. This becomes especially clear where the need for European competitiveness in a global perspective is concerned and when we consider the challenges stemming from the economic and democratic transition in Eastern Europe.

In addition, several countries would hesitate to accept Germany as an uncommitted and fully independent political and economic force in Europe.

3) Variable Geometry Europe

The third scenario is a Europe of variable geometry in which there are several levels of integration around a hard core composed by countries which are technically most able to go for deeper economic integration and politically committed in being part of a federal entity.

This model is the most practical one from a political perspective even if it cannot be qualified as a coherent alternative from an institutional point of view. The predominance of legal tradition in the study of EU decision-making has created a bias towards formal aspects. This legal tradition projects a concept of integration as an orderly system with a single body of law.

In any case, some members may not meet the Maastricht Treaty's convergence criteria for the third stage of the Economic and Monetary Union by 1999. Moreover a certain degree of à la carte membership is already existing: the UK and Denmark have opt-outs with regard to the Monetary Union. Add to that UK's opt-out for social policy and Denmark's clarification as far as the European citizenship is concerned. There are also important multi-speed Europe aspects on the other fields of integration outside the EU's legal framework, such as the Western European Union within which some EU countries have only an observer status, the Euro-corps initiative - the nucleus of a future European army - with the participation of only six EU member countries the Schengen Agreement among nine EU members on the internal security affairs, etc..

Naturally, an evolution towards a multi-speed Europe will cause problems for the decision-making structure of the European Union. It is likely that fully integrated hard core countries will have greater influence than less integrated countries. The institutional confusion is also due to different opinions in each country and different models concerning the role of the state and the European integration.

The idea of multi-speed Europe was a political taboo in the EU until last September when the French government and German main coalition partner (CDU/CSU) expressed respectively their vision of Europe's future characterized as a variable geometry with the aim to prevent a de facto and disorderly evolution towards an à la carte EU membership. First, French Prime Minister Eduard Balladur raised the old idea of a Europe of concentric circles with Franco-German alliance and some other countries at the center. Shortly afterwards German Christian Democrats made a similar proposal in great detail, mentioning undiplomatically and courageously the likely members of the hard core: Germany, France and the Benelux countries. Both proposals from Paris and Bonn, indicated that the future European Union could be arranged around a core of countries which pool their sovereignty and push towards a single currency, single central bank a highly coordinated common economic policy, single voice in the international relations and a common defence policy.

Outside the hard core would be ranged a second circle of countries for which the obligations of EU membership would remain at more or less their present level, to include participation in the common agricultural policy, the single market, structural funds to help poorer regions and so on. The variable geometry Europe model sees each country as a welcome future member of the inner hard core when it is ready to apply. Another outer circle would contain aspirant states namely the Mediterranean and Central and Eastern European associated members of the Union. Beyond this circle, there will still be countries having trade and cooperation agreements with the EU.

Of course, the development of the European integration process in the coming years will depend on several factors among which we can list:

- 1 - the institutional reforms necessary in an enlarged European Union with the aim to increase the efficiency and the democratic quality of the decision-making process,
- 2 - the new policy consensus which will be defined after the participation of new member,
- 3 - the success of implementation of European citizenship concept and the subsidiary principle which is due to define the levels of competence and intervention between the local, regional national and supranational authorities.
- 4 - the dynamics between the supra-nationalization and the decentralization process,
- 5 - the evolution of the global and European economic conjuncture, etc...

With the arrival of three new members (Austria, Sweden and Finland), EU's commitment to enlargement to Central and Eastern European countries and the lack of a common vision for future, we can argue today that the break-up of the EU's present monolithic structure seems more than ever inevitable

As far as Turkey's eventual membership is concerned, we see that the most important element of the analysis is not yet determined: that is the future political nature of the integration process in which Turkey would take place as a full-member.

The basic question is the following: On which European Union are we basing our prospects, a federal one? or a purely intergovernmental international organization of a free trade area?, or an integration process of variable geometry?

We can carry on the debate on the Turkish candidacy from a less dynamic but functional point of view, with a check-list on the EU-membership capability of applicant country(3).

Checklist on the EU-Membership capability of Applicant Countries

Preliminary remarks:

- 1- To work with a check-list can be helpful for further academic comparative research as well as for political and economic orientations.
- 2- When we analyze the EU documents on the enlargements we observe that there has been no ranging list yet about which dimension or criterion is the most important nor is there a minimum standard set.
- 3- The dimensions of the check-list are oriented as well on the pre-conditions for becoming a full member as on possible consequences.
- 4- A deeper debate on enlargement implies a more dynamic approach which emphasizes the interaction between the pre-conditions and the consequences.
- 5- All present EU members could be scrutinized by this check list.

In the check list there are 4 membership dimensions:

1 DEMOCRATIC RELIABILITY

2 FULFILLING THE "ACQUIS"(4)

3 OPENNESS TOWARDS THE "FINALITÉ POLITIQUE"(5)

4 EUROPEAN IDENTITY

1 DEMOCRATIC RELIABILITY

As to democratic reliability of an applicant country there are generally four criteria mentioned which are obviously closely related:

- 1 - Existence of a parliamentary democracy and trends towards a more decentralized administrative political structure;
- 2 - Respect of human and civil rights
- 3 - A respective social and political infrastructure, such as free trade unions, freedom of the press etc...
- 4 - A political culture open to accept the factors of differentiation in the society as a positive contribution to country's richness

Turkey is constitutionally a secular parliamentary democracy with an experience which has its roots in the late 19th and early 20th centuries.

Despite the ruptures of the Turkish democracy experience in the past by military takeovers and the practice of repression on the pro-Soviet communist movements during the cold war years, today there is no doubt that Turkey has the main characteristics of a democratic country:

- more than fifteen active political parties from far-left to far right;
- alternance between democratically elected Parliaments and governments in total conformity with the republican and secular Constitution;
- growing political support for a decentralization reform;
- a stable legal framework for social dialogue between the representatives of workers' and employers' organizations
- a very heterogeneous and colorful press world and an audio-visual panorama composed by hundreds of private radio stations and television networks both on national and local scales,...

However, it is also true that Turkish democracy has to be consolidated by more efficient improvements on the field of human rights. In this sense, the Turkish media world, the principal source of reports on Turkey by the Amnesty International, the workers', employers' and business organizations and the public opinion in general exercise a very significant pressure on the legislative process in order to go beyond the political and bureaucratic deadlocks. The further integration of Turkey to Europe is a major factor of progress strengthening the portion of those who are fighting in favor of Turkey's gradual and determined fulfilling of her democratic deficits.

Kurdish question:

Turkish democracy's consolidation question is generally identified with the Kurdish question for which the Turkish public opinion has shown a very high degree of sensitiveness and caution. This attitude can not be explained superficially by nationalism alone. Understanding the Kurdish question and its effects on the EU-Turkey relations implies to take into account some determinant elements of analysis which are most of time ignored by the some European media and Institutions like the European Parliament:

- 1) This is not a typical question of minority.

The minority status in Turkey is legally established for Jewish, Greek and Armenian communities whose rights are governed by the Lausanne Treaty of 1924 (the Jewish community renounced its minority status in 1928). All other Turkish citizens are subject to same legal regime without distinction of ethnical or geographical origin.

Turkey has been throughout its history a crossroads for as many as the Hittites, the Ionians, the Likyans to the Romans, the Byzantines, the Oguz Turks to have settled in Anatolia and Thrace and the peoples of Balkans who were subject to very significant migratory movements after the world wars.

When, after 100 years of westward migration from Central Asia, the Oguz Turks began to settle in Anatolia in the 11 th century, they had already mixed with several peoples living in today's Russian Federation or Iranian territories. Then, during centuries they were mixed with the other peoples in Anatolia and in the Balkans, creating ethnic as well as culturally, a heterogeneous society under the rule of the multi-ethnic Ottoman Empire. Modern Turkish Nation was to become a mixture of at least forty ethnical and sub-ethnic origins(6).

2) The concept of "Turkish Nation" does not exclude, neither ideologically nor legally, the Kurdish component of the modern Turkish society.

The Ottoman Empire did not experience an important industrial revolution, the emergence of a powerful bourgeoisie and the birth of a Nation-State. The latter was only established in 1923 when the Republic was founded. It was only towards the end of the 19th century that the Ottoman elites had discovered nationalism. Before, the word Turk(7) signified "a peasant, somebody from the mountains"(8), although it was used by Europeans to qualify the Ottomans. As a corollary, one of the priorities of the Kemalist revolution was to establish the sentiment "to be Turkish" on Anatolian peoples' minds. The state's ideology, officially and in practice, has been to consider that the criterion of being a Turk is to say: "I am Turkish". The common character of mixed marriages, the very heterogeneous ethnical profile of the ruling elites and the absence of any official instrument of ethnical identification(9) have contributed to the Nation-building process. The main pillars of this policy were, on the one hand, national education and the Turkish language (just as in the different cases of French and American experiences) and, on the other hand, social and economic development and political participation.

The Republic's nation-building policy has been successful to a very large extent, rapidly creating a common ground for the development of a strong Turkish identity. But, while this success concerned particularly those parts of society which have enjoyed social mobility(10), in the rural areas, the national consciousness has developed very slowly as a result of economic backwardness. While the rural exodus to large Turkish and Western European cities since the 50's has provided for impressive social opportunities for some immigrants, a low degree of cultural integration at the "center" has raised the intricate problem of social integration

3) Separating or isolating a Kurdish factor on ethnical and geographical terms is a very complex decision and can hardly be justified as a constructive and peace-seeking approach in the case of modern Turkey.

In this respect a particular emphasis should be placed on the very important parameter depicting the social backgrounds of the political, academic and other influential people discussing the Kurdish question in Turkey. A majority of them belongs to first or second generation of immigration which multiplied by a factor of between 10 and 20 the population of three major Turkish cities in the last fifty years. They usually have a sub-national identity qualified either by a geographical region (different regions of the Balkans, the Black Sea, Egean regions, Eastern Anatolia etc.) or by an ethnical appellation (Laz, Georgian, Kurdish, Abkazian, Tatar, Albanian Bosnian, Cerkoz etc.). They mostly have more than one term of ethnical identification as a result of mixed marriages.

This characteristic of the leading groups in Turkish society, considered together with the Turkish identity's historical background, explains the structural complexity underlying the debate on the Kurdish question. An important element of the analysis is to observe that, while a very important number of people of Kurdish origin(11) has been integrated into the national development process, the region which has remained most peripheral as regards the "Center" is the southern part of Eastern Anatolia which also has the largest concentration of Kurdish people; a region which for a long time was considered too unfertile and unstable for investment by both Ankara and its inhabitants. Any

movement, social or political, stemming from that region was, in the eyes of the "Center", a challenge to the nation-building process as well as to unity and sovereignty and was therefore repressed. The situation in this region is rather complicated when we take into account the social mobility within that region where no ethnical identification instruments or practices legally exist. In addition the existence of pre-capitalistic semi-feudal social structures in some areas and of several sectarian religious activities contribute to the interlocking diversification of the political landscape.

4) Kurdish question can not be understood in a simplistic "bad and good guys" logic.

The first reaction of the Turkish authorities to PKK terrorism - which has grown rapidly since 1982 - was of course repression, as any other state would do in such a case. Nevertheless the anti-terrorist policy was not sufficiently accompanied by a search for social and economic causes of Southeastern Anatolia's troubled society and has created a permanent "extraordinary situation" distressing the daily life of people, whether of Kurdish or non Kurdish origins.

Indeed, the state spends seven times more than what it receives from this region as a contribution to its budget and is carrying out one of the largest and most comprehensive regional development projects in the world, financing it exclusively by domestic resources. The Southeastern Anatolia Project (GAP) covers six provinces which represent 9.5% of the total national territory and 8.5% of the total population. The project has already become partly operational and includes giant irrigation tunnels, 21 dams and 17 hydro-electric power plants on the Euphrates and Tigris rivers. It is planned that upon completion by the year 2001, over 1.6 million ha of land will be irrigated multiplying by 20 the regional agricultural production and doubling national electricity generation.

When a center-right/center-left coalition government took office in December 1991, Mr. Demirel, then Prime Minister declared that he recognizes the "Kurdish reality". That means assuming the socio-economically peripheral situation of Turkish citizens of Kurdish origin living in Southeastern Anatolia and adopting an appropriate policy. In this respect, changes are introduced progressively on the legislation, abolishing the laws which were interpreted in order to repress the expression of the Kurdish identity. For example, research institutes or publications in different dialects of the Kurdish languages or on the Kurdish world are no longer seen directly as a threat to national unity. However, the government's policy has not yet reached a point of equilibrium between the fight against terrorism and the concern to avoid creating a climate of repression in the daily life of that region.

5) The PKK terrorism whose victims are mainly civilian people of South-East Anatolia, is a major obstacle for an immediate solution of the Kurdish question.

In the modern World, the fight against terrorism is a crucial challenge for governments, especially for a country like Turkey. In fact, three neighbors of Turkey are among the six countries(12) listed by the USA as supporting the international terrorism. The Marxist-Leninist Kurdish Workers Party's (PKK) terrorist actions are sponsored principally by drug and arms trafficking networks in the Middle East and Western Europe. It is also very surprising to observe that this organization, while being outlawed and repressed in Germany and France, enjoys an operational freedom in another EU member country, in Greece. The German newspaper Die Welt reported even on the PKK training camps in Greek territory (October 1994).

Unfortunately, the European Union's public opinion is not enough informed on the consequences of the PKK terrorism whose targets are major school teachers, medical staff, shopping centers... For example it is curious that the massacre of four young women school teachers and three doctors along side several peasants of a village is not considered as "a news" by the majority of media networks in the European Union whereas the same day's other terrorist attacks in Sri Lanka or by the Shining Path in Peru are transmitted in first place by these same public information organizations.

6) The trial of some members of the Turkish Parliament, subject to very explicit critics within the Turkish public opinion and political circles, is condemned by the European Parliament in a resolution which was based on misinformation and lack of complete analysis on the Kurdish question.

First of all, although these eight deputies are members of a party which is more specifically representing a Kurdish identity, there are many more deputies in the Parliament (around hundred and fifty deputies of the Turkish Parliament are from the Eastern and South-Eastern Anatolia) and ministers in the actual government of Kurdish origin as well.

Secondly, pursuant to the Court's verdict the eight deputies have not been sentenced because of expressing their cultural identity, nor because of performing their constitutional duties as it is stated in European Parliaments resolution. The Court sentenced eight deputies on charges of providing the PKK with logistic support, but it dropped the political charge of treason.

Finally, as stated by Turkish Foreign Minister in a press conference in Brussels (19 December 1994), the government hopes that the appeal procedure to the High Court and if still necessary to the European Commission of Human Rights in Strassbourg will result in a politically less controversial solution of the case.

2 FULFILLING THE ACQUIS

A second crucial test for membership is the capability of a country to really fulfill all the obligations and rights put down in the primary and secondary laws and rules of the Community and related policies in lato sensu the fulfilling the acquis dimension covers four domains:

- 1- Economic maturity
- 2- Legal and administrative order
- 3- Common Foreign and Security Policy
- 4- Political and administrative human capital
- 5- Public opinion support

1- Economic maturity

The first criterion of this dimension might be called economic maturity to be measured with the help of traditional statistics for the competitiveness and the performance of the economy. On the other hand, the question of the cost of a new membership on EU's budget as far as the common agricultural policy and the structural funds for economic and social cohesion are concerned, is very hypothetical to discuss today, since the next enlargements will take place in the years 2000 in a very different economic context characterized probably by some form of a variable geometry Europe(13).

Moreover the membership to the EU is, as a process, governed by transitional periods and dispositions for the sake of necessary economic and legislative adaptation. On the other hand, as a target, the EU membership is a determinant mobilizing factor for the applicant country's reputation as being "economically foreseeable" and its integration to the Single European Market.

Since the issue in December 1989, of the EC Commission's Opinion on Turkey's application for full-membership which stated the country's eligibility to become a member of the Community while stressing a number of problem areas, especially on economic terms there has been a historic transformation both in Turkey and in Europe.

Whereas the integration factors between Turkey and the Community were, at the beginning, mainly geo-strategical - with special reference to the security aspects - today, they are also significantly economic and political:

In fact, on terms of EU documents which preceded the decision to re-launch the process towards a customs union in 1992(14), Turkey constitutes a pole of attraction in the new Europe for several reasons:

First, as of 1993, Turkey is a significant industrial and military power in the region between Europe and South Asia. In geo-strategic terms Turkey has become a pivot of the whole Black Sea/Eastern Mediterranean region.

In this sense, we can list:

- Turkey's special relationship with the Turkish speaking republics of the CIS,
- the Black Sea Economic Cooperation Forum launched by Ankara,
- Economic Cooperation Organization between Turkey, Iran, Pakistan and the Central Asian Republics of the CIS,
- Turkey's potential role in functional regional cooperation schemes (based on trade water and energy supply, etc.) in an extended Middle East peace process
- and the free trade agreement with EFTA.

Secondly, in the same region, Turkey has emerged as a "model" of parliamentary democracy and free market economy, two closely interrelated elements in the new World. Her democratic experience, although perturbed three times in the past and not yet perfect has its roots in the late 19th and early 20th century, which makes it relatively long even comparing with some members of the European Union.

Thirdly, Turkey is the EU's main trading partner in the Euro-Mediterranean area and in the Eurasian axis.

A few statistics would make the point:

- In 1980, Turkey was the 44th supplier of the Community with an export figure of 1.2 billion dollars.
- Today, she is the nineteenth supplier with 7.6 billion dollars. This corresponds to a six fold increase.
- Likewise, in 1980, Turkey was ranking as the 26th country, with an import figure of 2.1 billion dollars from the Community.
- Today she is the tenth main Community market with an import figure of 10.5 billion dollars.
- TR-EU trade volume is estimated to having hit the 20 billion dollars mark by the end of 1994.

In other words, Turkey has moved up from the EU's 48th trading partner in the World in 1980 to 11th position in 1992 and has the potential to become even more important figure in the very near future taking into consideration the present trends and the new phase of EU-Turkey integration process.

Finally, Turkey is an attractive private investment partner in the Mediterranean and the Black Sea regions for the EU. Since 1988, direct investment in Turkey, largely from the Community, has increased by 1.8 billion dollars, corresponding to more than 8 to 10 times the amount which has gone to Israel, and 2 to 5 times what has gone to southern Mediterranean countries.

With the completion of the customs union by 1996:

- First of all Turkey hopes to become an ever more attractive partner for European business. As the only third country, besides Andorra, to have a customs union with the EU, Turkey will be obliged to adopt a large part of the Union's regulatory framework; thus, a legal and administrative order will be in place to promote more economic integration of Turkey to the European Union.
- Secondly, completing the customs union will not only offer to the EU enterprises a better access to a rapidly growing broad and modern market but it will also lead the modernization of Turkish industrial machinery as well as administrative, technological and structural changes in industry and services as Turkey tries to align with the EU in terms of competitiveness.

Of course the dynamism of the Turkish economy can not let us to argue that "Turkey is ready to join the EU as soon as possible".

Neither is it in the interest of Turkey to join the EU as soon as possible.

However, taking into consideration:

- the usual dispositions of the accession treaties (EU membership agreements) that provide for transitional periods
- and the perspective of the achievement of EU-Tr customs union and beyond,

we can conclude that:

on terms of economic maturity Turkey is not behind the other candidates to EU membership, beside the remaining members of EFTA (Norway, Iceland and Switzerland).

In fact, whereas Turkey-EU customs union is technical ready to be effective by 1996 according to Commissioner Sir Leon Brittan (press conference in Brussels, 19 December 1994), the association agreements between the EU and the Central and Eastern European countries foresee only the gradual establishment of a free trade area which represents a lesser degree of integration than a customs union.

2 - Legal and administrative order

A second criterion for taking up all obligations and - even more - for profiting from all rights can be defined as an adequate legal and administrative apparatus of new members.

The legal acts of the Community (around 2000) have to be properly implemented and applied if they should serve their purposes.

Already within the Community of Twelve, the "sinners list" of the EC Commission was clearly indicating the shortcomings and important deficiencies of almost all the member states.

As far as Turkey is concerned the final stage of her association agreement with the EU - which will begin by the completion of the customs union - is set forth to be the phase of the harmonization of the Turkish legal order with the Union's *acquis* (legal patrimony) especially with respect to the competition law and to other economic domains.

The legal bases of the EC-Turkey association are the Ankara agreement of 1963 concluded under the terms of the article 238 of the Rome Treaty, and its Additional Protocol, signed in Brussels in 1970 and entered into force in 1973.

The Ankara Agreement creates reciprocal rights and obligations. The agreement and decisions taken within the framework of the association regime are part of the EC's *acquis* (legal patrimony) and directly enter force in the member states' national orders. The principal objective of the agreement is to promote the development of trade and economic relations between the parties and to prepare Turkey's full membership to the Community.

In order to pave the way for Turkey's integration to the Community, the association regime requires the gradual completion of a customs union as the beginning of a final stage based on a further alignment of Turkish economic policies to the "*acquis communautaire*". The customs union covers industrial and processed agricultural products and involves the prohibition between member states of the Community and Turkey of customs duties on imports and exports and all charges having equivalent effect as well as quantitative restrictions, and also adoption by Turkey of the EC's Common Commercial Policy.

Issues related to the customs union emphasize a perspective of Turkey's deeper integration to EU: free circulation of goods between the parties, adoption by Turkey of the EC's common trade policy and gradually its other common policies and legislation (competition, intellectual and industrial property

rights, public procurement, environment, etc.), Turkey's progressive adaptation to the common agricultural policy and co-operation in industrial, monetary, energy, environmental, scientific and cultural fields.

3 - Common Foreign and Security Policy (CFSP)

Another important component of fulfilling the *acquis* dimension is the willingness and the capacity to take up all the operations and rights in the Common Foreign and Security Policy within the European Union.

On one hand Turkey, in contrast with the ex-communist countries or neutrals has the long experience of being part of the Western block on the world political scene as a member of the Atlantic Alliance. She has also become an associate member of the Western European Union, the European Union's common security and defence arm.

On the other hand, the political disputes between Greece and Turkey over Cyprus and the Aegean Sea constitute a determinant factor freezing further degrees of integration between the foreign policies of the Union and Turkey.

The "Cyprus Linkage" in the further improvement of relations with Turkey is - "unfortunately" according to many within the EU - explicitly established by the European Council summit meeting of Dublin (June 1993). Thus, today, the Greek government is in a position to veto the customs union agreement or at least its fundamental pillars on political and financial cooperation in total accordance with the fourteen other member states.

In discussing the Cyprus question, Turkey is conscious that she has nothing to gain in the deadlock. For example, there is not an economic motivation like the oil factor in the Gulf conflict. Turkey is political and psychologically ready to accept any solution which is approved by the islands Turkish Community.

The legitimate question to raise in this respect is as do the Greek Cypriots, whether Athens considers a solution of the question in its interests or sees more benefit for its foreign policy in the continuation of the dispute since it is an unquestionable burden limiting Turkey's negotiation power in international plate-forms and decreasing the velocity of EU-Turkey relationship.

Another dimension of the problem is the irrationality of the Greek attitude in blocking EU-Turkey relations, since it directly serves the interests of ultra-religious and ultra-nationalist Turkish political forces and their anti-European political agendas.

The EU's passive and ineffective policy towards the conflict in Bosnia is an additional negative factor in her relations with Turkey. The major political forces of center-right and center-left dominating the Turkish political life are subject to rhetorical attacks by the anti-EU political forces which point out the Bosnian tragedy as an illustration of a so-called "new Christian crusade spirit against other religions".

The customs union has to be evaluated also politically within the debate on Europe's future.

On the one hand, Turkey's economic and political integration into the European Union has accelerated while she is trying to become a pole of stability between unsettled nations of the Balkans, the disintegrated Soviet empire and the Middle East.

The political cooperation mechanisms between Ankara and the capitals of the CIS's Turkish republic the project of creating in the long run a Central Asian common market, the Black Sea Economic Cooperation (BSEC) zone and Turkey's potential role on the economic co-operation and water supply in Middle East peace process are to be considered as regional cooperation frameworks that are complementary to the pan-European integration process. In this respect, Turkey's essential role, as a

stable, democratic and prospering country, is to become a privileged partner between the European Union and the Eurasian area.

As the core of the new European architecture, the European Union is faced with the challenge of defining a comprehensive and dynamic approach vis-a-vis the new Eurasian region based on an integrated cooperation policy. On the other hand, Turkey's economic and political integration into the European Union has accelerated while she has become a pole of stability between unsettled nations of Eastern Europe, the disintegrated Soviet empire and the perpetually unstable Middle East. Ankara's foreign policy seeks a new European order characterized by European Union's central role as economic and political core and NATO's leadership on the security field with the WEU as the European pillar of the transatlantic line. In this context, Turkey's strategic role, as a democratic and prospering country, is to become the interface between the European Union and the troubled republics of Central Asia and the Black Sea region. The particularly negative lessons of Bosnian and Caucasian wars show the need of the complementarity between the actions of the European Union and Turkey in the new Eurasian region.

Therefore, EU's Common Foreign Security Policy can potentially be stronger if it includes Turkey. There is also no doubt that, closer ties between both sides of the Egean Sea are not only in the interest of Greek and Turkish business worlds but also would provide a more rational spirit for the resolution of bilateral disputes within the framework of European integration process and its regional cooperation components.

4 - Political and administrative human capital

The third criterion of the "fulfilling the *acquis*" dimension is closely linked with the legal and administrative set-up. To be able to pursue its interests and enjoy all possible benefits of European Union members a member country has to dispose of certain political and administrative elites in a stable constitutional system, which are able to play the complex multi-level game, dominating the Union's decision-making and implementation. This demand for efficient players in the European Union system ranges from experts and civil servants to deputies, Euro-MPs and ministers. Besides these official actors, political parties, chambers of commerce associations of industries, businessmen clubs, trade unions, regional politicians and alike need to get involved in their respective European networks.

Turkey, has a long experience with the EU and dispose at least on the administrative level of an experienced staff. Although, she is in a lot better situation with respect to the human capital criterion than any other candidate country except the EFTA countries, Turkey is still facing a significant gap to fill in this field and needs deeper institutional cooperation with the EU's public and private organizations.

Closer ties between the EU and Turkey is also to be considered an effective factor strengthening the modern, democratic and free market Turkey against the anti-European trends within her political administrative and social structures.

5 - Public opinion support

Last but not least, the public opinion of a country can be reluctant vis-a-vis the European integration process as in the different cases of France, United Kingdom, Denmark, Norway or Switzerland.

In Turkey the political cleavage over the issue of EU membership opposes the center-left and center-right parties to the religious Party of Prosperity which represents between 16 to 22 % of the electorate and to some marginal far left parties. Nevertheless, recent turbulences in the EU-Turkey relationship and the prospects of delays in the customs union process are giving birth to a cross-party, reactionary and a de facto alliance against the EU.

3 OPENNESS TOWARDS THE FINALITÉ POLITIQUE

The third dimension on the check-list "the openness towards the finalité politique" is not as clear as the first two ones, it can less easily be defined in legal terms or with objective indicators but it is considered quite essential in Brussels.

It might be called the willingness to share the vocation for further integration. This willingness is expressed in the preambles of the Rome and Maastricht treaties as "an ever closer union".

The criteria of this dimension refer:

- 1- to the widening of the scope of future common policy areas;
- 2- to the flexibility in terms of institutional and procedural adaptations and reforms of the present Union;
- 3- and to the definition by the applicant country of its national destiny as inseparably linked with that of the Union.

In the case of the EFTA countries, during the membership negotiations, their political leaders, in order to reduce the worries stemming from the eventuality of the emergence of an anti-federalist block as a consequence of their membership, have declared many times their commitment to the finalité politique of the Maastricht Treaty.

Turkey also has begun to pay more attention to this dimension since the signing of the Maastricht Treaty. In fact, Ankara pays a special attention to not to appear as a natural defender of the Thatcherist vision of Europe without however considering a total success of the federalist project as realistic.

4 EUROPEAN IDENTITY

The dimension of what might be called "European identity" is most of the time hidden on the official agenda. However it is quite often dominating the informal discussions with a high emotional overtone. It concerns the eligibility of an applicant country in view of how far it shares its cultural and historical heritage with Europe.

Europe's frontiers

The geographical criterion of the European identity is formally stipulated by the article 0 of the Treaty on European Union (formerly the article 237 of the Rome Treaty).

Whereas the geographical condition has already stopped an application from Morocco, it was applied in favour of Turkey's "eligibility" in the Commissions opinion on the Turkish membership request (December 1989).

Quite often however, Turkey's political commitment and geographical location in Europe are not considered as satisfactory to meet the condition of European identity, on the basis of arguments related to the religious difference. Of course this religiously fundamentalist approach excludes sometimes other countries than Turkey from the European integration. There are some who argue that limits of the European Union are set by the borderline between Rome and Byzantium. In other words in this optic, the European Union should have its frontiers where the Orthodox Europe begins.

* On his side, EC Commissioner Manuel Marin (responsible for external relations with the Mediterranean, Middle Eastern, South American and developing Asian countries) made explicit his vision of Europe's frontiers during his confirmation hearings before the External Affairs Commission of the European Parliament: "The enlargement of the European Union has to be limited to Central and Eastern European countries and, in the Mediterranean region, to Cyprus, to Malta and to Turkey who will be one day a EU member" (4 January 1995, Brussels).

* The same common sense concerning the complex case of Turkey's integration to EU was also adopted before the same European Parliament Commission by Commissioner Hans van den Broek (responsible for external relations with non-EU member European countries) who emphasized "Turkey's strategic importance" and his hope for "the next Association Council of March to seize the opportunity to boost the customs union" (5 January 1995, Bussels).

The difference of religion, what we call the "ultimate argument" against Turkey's place in Europe, plays a quite significant role for an instinctive pre-selection of possible member countries. It represents also an extremely serious threat to the universality of the Western European values.

There is neither political opportunity nor economic interest for the European Union in encouraging a Eurasian and Euro-Mediterranean order characterized by religious bipolarization. The continuing success of Turkish model is a determinant factor in avoiding such a scenario unless it is excluded by the European Union.

Question of image

The difference of religion is also part of a much broader obstacle in Turkey's relations with the European Union:

This is the question of Turkey's extremely negative image which deteriorates not only the country's relations with its Western partners but also the situation of Western European Turks within their host countries.

This image is so strong that it has created on the Western public opinion a mechanism of selective perception of what is related to Turkey.

For example, according to opinion surveys among tourists, even a visitor to Turkey perceives generally only the women which correspond to his image of Turkish women as being Turkish. All the Turkish women who are around on the beaches, in the streets, in the banks, shops etc. are often perceived by him as being either foreign tourists or members of a Christian minority or maybe part of a Turkish elite which represents only 1-2 percent of the society.

In fact the image of Turkey has two types of causes:

- One part of the image is due to the exaggeration or generalization of the negative aspects of Turkey;
- Second part of the image is due to the complete falsification and disinformation on Turkey.

A recent opinion poll realized by the students of a public relations school in Brussels among the people in the media, the business and the EU institutions shows very well the degree of acknowledge on Turkey in the Western public opinion:

It was a true or false test.

A large majority answered "true" for the following statements which are in fact "false":

- "Turkish is an Arabic language written by Arabic characters."
- "Only 65% of the Turkish population is Muslim."
- "Some part of the Turkish legal order is based on the Islamic law".
- "If a Turkish man is rich enough he can have more than one wife".
- "Turkish women has obtained the right to vote in 1987 following this application for membership to EC".
- "In Turkey the ethnic origin is mentioned on the identity cards; therefore the discrimination against Kurds is easier".

Two of the "true" informations considered as "false" by a majority worth also to be quoted:

- "In Turkey the proportion of women among academic lawyers, engineers, bank directors etc. is higher than in the majority of other European countries".
- "In Turkey there are no legal obstacles for a citizen of Kurdish origin to have access to public service, to become an MP, a minister of foreign affairs, a president of republic etc...".